

Notice of Allowability

Application No.

09/838,377

Examiner

Andre R. Fowlkes

Applicant(s)

ATKIN, STEVEN EDWARD

Art Unit

2192

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the appeal brief filed 3/2/06.
2. ☒ The allowed claim(s) is/are 1,2,4-12,14-22 and 24-30 (renumbered as 1-27).
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.


Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


TUAN DAM
SUPERVISORY PATENT EXAMINER

DETAILED ACTION

1. In view of the appeal brief filed on March 2, 2006, PROSECUTION IS HEREBY REOPENED. Claims 1, 2, 4-12, 14-22 and 24-30 are allowed.

A Supervisory Patent Examiner (SPE) has approved of reopening prosecution by signing below:

2. The affidavit under 37 CFR 1.132 filed 3/2/06 is sufficient to overcome the 35 U.S.C. 103(a) rejection of claims 1, 2, 4-12, 14-22 and 24-30.

As the appellant pointed out in the Brief, at p. 3:12-17 and in the affidavit under 37 C.F.R. 1.132, the cited art (Atkin-Stansifer) was inventor by the appellant alone. Therefore the Atkin-Stansifer art is in fact not an invention "by another", so it cannot be applied as a reference under 35 U.S.C. 102(a). Please note that 37 C.F.R. 1.116 (e) requires that any evidence submitted after final may be admitted upon a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. In this instance, the office is considering the affidavit, particularly since the change in 1.116 is of recent vintage. However, Appellant is reminded of the requirement and future submissions which do not make the showing may not necessarily be accepted.

3. The following is an examiner's statement of reasons for allowance:

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Claims 1, 2, 4-12, 14-22 and 24-30 are allowed.

As the appellant pointed out in the arguments (submitted 1/19/05), at p. 15:1-6, the prior art of record does not specifically teach or disclose reordering characters within a logical character stream according to final level numbers such that said reordered characters form a character stream in display order wherein facets of layout relating to character reordering and facets related to character stream rendering are handled separately in a functional programming language.

These claim limitations are recited in each of the independent claims 1, 11 and 21; thus, all remaining claims are also allowed. By separating the facets of layout dealing with reordering from those that are concerned with rendering, the functional programming based invention is more discernible and comprehensible, thereby allowing it to be more useful as a model upon which others may base bidirectional implementations.

4. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andre R. Fowlkes whose telephone number is (571)


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272-3697. The examiner can normally be reached on Monday - Friday, 8:00am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tuan Q. Dam can be reached on (571)272-3695. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

ARF



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